



WESTERN.023C1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bloom et al.
Appl. No. : 10/759,664
Filed : January 19, 2004
For : TRACTOR WITH IMPROVED VALVE SYSTEM
Examiner : William P. Neuder
Group Art Unit : 3672

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

December 12, 2005

(Date)

Sanjivpal S. Gill
Sanjivpal S. Gill, Reg. No. 42,578

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
UNDER 37 C.F.R. § 1.321(b)

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Terminal Disclaimer is submitted in response to an Office Action mailed on July 12, 2005. In the Office Action, the Examiner rejected Claims 1-35 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-134 of U.S. Patent No. 6,679,341 (the '341 patent).

Petitioner, WESTERN WELL TOOL, INC., a California corporation, certifies that it is the assignee and sole owner of the entire right, title, and interest in the patent application identified above by virtue of an assignment from the inventors. Petitioner also certifies that it is the assignee and sole owner of the entire right, title, and interest in the '341 patent, by virtue of an assignment from the inventors. A copy of the assignment of both the present application and the '341 patent is recorded at Reel 012669/Frame 0643.

Pursuant to 37 C.F.R. § 1.321(b), Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned application that would extend beyond the expiration date of the full statutory term of the '341 patent. Petitioner hereby agrees that a patent so granted on the above-captioned application will be enforceable only for and during such period that the legal

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title to the patent shall be the same as the legal title to the '341 patent. This agreement extends to the patent granted on the above-captioned application and will be binding on Petitioner's successors and assigns.

Petitioner does not disclaim any terminal part of a patent granted on the above-captioned application before the expiration of the full statutory term of the '341 patent, in the event that the '341 patent later: expires for failure to pay maintenance fees; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned representative verifies that he is authorized to take this action on behalf of the Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 12/12/05

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